

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John W. Sorensen
Cambria L. Sorensen

Debtor(s).

**U.S. Bank National Association, as
Trustee, for Residential Asset
Securities Corporation, Home Equity
Mortgage Asset-Backed Pass-
Through Certificates, Series 2006-
EMX7**

Movant,

VS.

John W. Sorensen
Cambria L. Sorensen

Natalie Lutz Cardiello

Respondents.

Case No.: 16-24825-JAD

Chapter 7

Judge Jeffery A. Deller

* * * * *

Date and Time of Hearing

Place of Hearing

September 5, 2017 at 10:00 a.m.

Courtroom D, 54th Floor

U.S. Steel Tower

600 Grant Street

Pittsburgh, PA 15219

**MOTION FOR ABANDONMENT OF REAL PROPERTY LOCATED AT 622 BASCOM
AVE, PITTSBURGH, PA 15212 FKA 622 BASCOM AVENUE, PITTSBURGH, PA 15237
WITH 30 DAY WAIVER (FIRST MORTGAGE)**

Comes now U.S. Bank National Association, as Trustee, for Residential Asset Securities Corporation, Home Equity Mortgage Asset-Backed Pass-Through Certificates, Series 2006-EMX7 (hereinafter "Creditor") a creditor in the above referenced case by counsel, and moves the Court pursuant to 11 U.S.C. § 554(b) for an order directing the Trustee to abandon real estate of the Debtor with 30 day waiver in order that Creditor may enforce its lien against the real estate of the Debtor located at 622 Bascom Ave, Pittsburgh, PA 15212 FKA 622 Bascom Avenue, Pittsburgh, PA 15237.

Creditor hereby gives notice that a foreclosure action was filed on June 24, 2015 in the Allegheny Circuit Court, Case No. MG-15-000957. A Default Judgment was entered on December 7, 2015.

In support of its motion, Creditor offers the attached memorandum.

Respectfully submitted,

/s/ Karina Velter

Karina Velter, Esquire (94781)
Scott A. Dietterick, Esquire (55650)
Kimberly A. Bonner, Esquire (89705)
Kimberly J. Hong, Esquire (74950)
Michael E. Carleton, Esquire (203009)
Meredith H. Wooters, Esquire (307207)
Justin F. Kobeski, Esquire (200392)
Matthew P. Curry, Esquire (322229)
Cristina L. Connor, Esquire (318389)
Holly N. Wolf, Esquire (322153)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-220-5611
Fax: 614-220-5613
Attorneys for Creditor
The case attorney for this file is Karina Velter.
Contact email is kvelter@manleydeas.com

MEMORANDUM IN SUPPORT OF MOTION FOR ABANDONMENT

1. The Debtor filed a petition for relief under Chapter 7 on December 30, 2016.
2. The Chapter 7 Bankruptcy Case was discharged on April 12, 2017.
3. The trustee of the estate of the Debtor in this case is Natalie Lutz Cardiello.
4. As of July 24, 2017, the Creditor has a secured claim in this case of an unpaid principal amount of \$137,327.90, interest in amount of \$32,458.19, escrow advances of \$9,941.33 and fees of \$2,099.50 totaling \$181,826.92 . The claim is secured by a security interest in the following collateral: real property located at 622 Bascom Ave, Pittsburgh, PA 15212 FKA 622 Bascom Avenue, Pittsburgh, PA 15237 and more fully described in the mortgage.
5. The security interest was perfected by the filing of the mortgage.
6. Copies of the note, security agreement, financing statement and supporting documents establishing the Creditor's perfected security interest in the above-described property, is attached hereto.
7. Debtor's Schedule A states the value of the property totals \$150,000.00.
8. Per Debtor's Schedule C, no exemption has been claimed in regard to the property.
9. Per Debtor's Schedule D, PA Housing Finance Agency HEMAP holds a subordinate lien listed as a second mortgage in the amount of \$16,763.44 and Ocwen Loan Servicing LLC holds a subordinate lien listed as a third mortgage in the amount of \$14,751.08
10. A Title Examination Report attached hereto as Exhibit A details that subordinate liens were recorded as:

a) Mortgage in favor of Pennsylvania Housing Finance Agency, from John W. Sorensen and Cambria L. Sorensen, no marital status, 622 Bascom Avenue, Pittsburgh, PA 15212, in the amount of \$21,500.00, recorded December 3, 2013, in Document Number 2013- 115717, and recorded in Book 43401, Page 78, Recorder's Office, Allegheny County, Pennsylvania.

b) Mortgage in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Mortgage Lenders Network USA, Inc., its successors and assigns, 3300 South West 34th Avenue, Suite No. 101, Ocala, FL 34474, from John W. Sorensen and Cambria L. Sorensen, not marital status shown, 622 Bascom Avenue, Pittsburgh, PA 15212, in the amount of \$36,000.00, recorded July 26, 2006, in Document Number 2006-82508, and recorded in Book 32367, Page 471, Recorder's Office, Allegheny County, Pennsylvania.

11. Creditor seeks abandonment on the following grounds: the interest of the Creditor is not adequately protected; or the Trustee has no interest in the property. The property is of inconsequential value and benefit to the estate because upon liquidation of such property, no proceeds would remain for the benefit of the estate.

WHEREFORE, Creditor respectfully requests that this Court enter an Order directing Trustee to abandon the property.

Respectfully submitted,

/s/ Karina Velter

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Telephone: 614-220-5611
Fax: 614-220-5613
Attorneys for Creditor

The case attorney for this file is Karina
Velter.
Contact email is kvelter@manleydeas.com

NOTICE

Please take notice that parties in interest shall have 17 days from the date of this motion within which to file a response to the motion and a request and notice of hearing on such response. If no response is timely filed, the enclosed order may be entered by the court without a hearing on the motion.

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CERTIFICATE OF SERVICE OF MOTION FOR ABANDONMENT (FIRST MORTGAGE)

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on (date) August 4, 2017.

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: regular U.S. mail, electronic notification.

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the full name, email address, and where applicable the full name of the person or entity represented, for each party served by electronic transmission is listed under the heading "Service by NEF," and the full name and complete postal address for each party served by mail, is listed under the heading "Service by First-Class Mail."

EXECUTED ON: August 4, 2017

By: /s/ Karina Velter

Signature

Karina Velter, Esquire

Typed Name

P. O. Box 165028, Columbus, OH 43216-5028

Address

614-220-5611

Phone No.

94781

List Bar I.D. and State of Admission

Karina Velter, Attorney for Creditor, Manley Deas Kochalski LLC, P. O. Box 165028, Columbus, OH 43216-5028 (notified by ecf)

Office of the United States Trustee, Liberty Center, 1001 Liberty Avenue, Suite 970, Pittsburgh, PA 15222 (notified by ecf)

Natalie Lutz Cardiello, Chapter 7 Trustee, 107 Huron Drive, Carnegie, PA 15106 (notified by ecf)

Jason L. Karavias, Attorney for Debtor, 239 4th Avenue, Suite 1603, Pittsburgh, PA 15222 (notified by ecf)

John W. Sorensen and Cambria L. Sorensen, Debtor, 622 Bascom Ave, Pittsburgh, PA 15212 (notified by regular US Mail)

John W. Sorensen and Cambria L. Sorensen, Debtor, 622 Bascom Avenue, Pittsburgh, PA 15237 (notified by regular US Mail)

Ocwen Loan Servicing LLC, Party of Interest, PO Box 660264, Dallas, TX 75266-0264 (notified by regular US Mail)

PA Housing Finance Agency HEMAP, Party of Interest, PO Box 1506, Harrisburg, PA 17105-5206 (notified by regular US Mail)